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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Lee et al.

Application No.: 10/773,032

Confirmation No.: 5991

Filed: February 5, 2004

Art Unit: 1631

For: PROTEOME EPITOPE TAGS AND METHODS OF
USE THEREOF IN PROTEIN MODIFICATION
ANALYSIS

Examiner: Lin, Jerry

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR USE OF COLOR DRAWINGS AS FORMAL DRAWINGS
UNDER 37 C.F.R. § 1.84(a)(2)**

Applicants submit this petition to request acceptance of color drawings in the above-referenced U.S. patent application. As required under 37 C.F.R. § 1.84(a)(2), Applicants herein include:

- an explanation regarding why the color drawings are necessary;
- the fee set forth in § 1.17(h); and
- three (3) sets of color drawings.

An amendment to include the paragraph required by § 1.84(a)(2)(iii) in the Brief Description of the Drawings section of the specification has been included in the Amendment and Response to Office Action enclosed herewith.

1. Explanation regarding why the color drawings are necessary: Color drawings appear in Figure 3, Figure 5, Figure 10, and Figures 14-24 of the above-referenced application. These drawings include schematic diagrams and images in which content has been identified by color. Alternative presentation of the above-listed drawings in black and white is impractical. Thus, Applicants respectfully submit that color drawings are the

only practical medium by which to disclose in a printed utility patent the subject matter to be patented, and therefore, the color drawings should be permitted.

2. In accordance with § 1.84(a)(2) and § 1.17(h), please charge our Deposit Account No. 07-1700 in the amount of \$130.00 covering the petition fee set forth in 37 CFR 1.17(h). However, should any other fees be required for this petition to be considered, the Commissioner is authorized to charge Deposit Account No. 07-1700, under Order No. EPT-001C2.
3. In accordance with 37 C.F.R. § 1.84(a)(2), this petition is accompanied by three (3) sets of color drawings.

Applicants submit that all requirements of 37 C.F.R. § 1.84(a)(2) and § 1.17(h) are satisfied, and Applicants respectfully request that the color drawings and color photographs be accepted in the above-referenced non-provisional U.S. patent application.

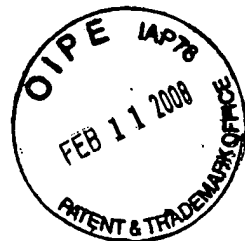
Dated: February 11, 2008

Respectfully submitted,

By 

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NO. EM046052199 US

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision)	Application Number--	10/773,032-Conf. #5991
	Filing Date	February 5, 2004
	First Named Inventor	Frank D. Lee
	Art Unit	1631
	Examiner Name	J. Lin
	Attorney Docket Number	EPT-001C2

Send completed form to: Commissioner for Patents
 P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.84 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 07-1700 :
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) – for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.

Randall D. Morin

Signature

Randall D. Morin

Typed or printed name

February 11, 2008

Date

58,312

Registration No., if applicable